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JOHN L. W. WIENING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDWARD E. MOTLEY, Plaintiff,

vs.

W. J. SULLIVAN (WARDEN), Defendant,

CV 08

CASE NO. \_\_\_\_\_

PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

JF

I, Edward E. Motley, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes \_\_\_ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: N/A Net: N/A

Employer: N/A

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
 2 salary and wages per month which you received. (If you are imprisoned, specify the last  
 3 place of employment prior to imprisonment.)

4 "NEVER EMPLOYED"

5  
 6  
 7 2. Have you received, within the past twelve (12) months, any money from any of the  
 8 following sources:

- 9 a. Business, Profession or Yes \_\_\_ No ☒  
 10 self employment  
 11 b. Income from stocks, bonds, Yes \_\_\_ No ☒  
 12 or royalties?  
 13 c. Rent payments? Yes \_\_\_ No ☒  
 14 d. Pensions, annuities, or Yes \_\_\_ No ☒  
 15 life insurance payments?  
 16 e. Federal or State welfare payments, Yes \_\_\_ No ☒  
 17 Social Security or other govern-  
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
 20 received from each.

21 N/A  
 22

23 3. Are you married? Yes \_\_\_ No ☒

24 Spouse's Full Name: N/A

25 Spouse's Place of Employment: N/A

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ N/A Net \$ N/A

28 4. a. List amount you contribute to your spouse's support: \$ N/A

- b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

N/A

5. Do you own or are you buying a home? Yes \_\_\_ No ☒

Estimated Market Value: \$ N/A Amount of Mortgage: \$ N/A

6. Do you own an automobile? Yes \_\_\_ No ☒

Make N/A Year N/A Model N/A

Is it financed? Yes N/A No N/A If so, Total due: \$ N/A

Monthly Payment: \$ N/A

7. Do you have a bank account? Yes \_\_\_ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ N/A

Do you own any cash? Yes \_\_\_ No \_\_\_ Amount: \$ N/A

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes \_\_\_ No ☒

N/A

8. What are your monthly expenses?

Rent: \$ N/A Utilities: N/A

Food: \$ N/A Clothing: N/A

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
	\$ <u>N/A</u>	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to  
2 whom they are payable. Do not include account numbers.)

3 N/A  
4

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes \_\_\_ No ☒

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed.

9 N/A  
10

11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

15  
16 3/16/08

17 DATE

18  
19 Edward C. McElroy  
20  
21  
22  
23  
24  
25  
26  
27  
28  
SIGNATURE OF APPLICANT

Case Number: 1362

**CERTIFICATE OF FUNDS**  
**IN**  
**PRISONER'S ACCOUNT**

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of EDWARD D MOTLEY for the last six months

CCI - TEHACHAPI [prisoner name]  
[name of institution] where (s)he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ \_\_\_\_\_ and the average balance in the prisoner's account each month for the most recent 6-month period was \$ \_\_\_\_\_.

Dated:

[Authorized officer of the institution]

SEE ATTACHED  
TRUST ACCOUNT STATEMENT

CALIFORNIA DEPARTMENT OF CORRECTIONS  
CALIF CORRECTIONAL INSTITUTION  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: SEP. 01, 2007 THRU FEB. 28, 2008

ACCOUNT NUMBER : H56441  
ACCOUNT NAME : MOTLEY, EDWARD  
PRIVILEGE GROUP: A  
BED/CELL NUMBER: 4A2C00000000110U  
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
09/01/2007		BEGINNING BALANCE					88.63
09/12	W512	LEGAL POSTAGE	1762LEGP05			0.90	87.73
09/13	D300	CASH DEPOSIT	1805MR659		70.00		157.73
09/13	D300	CASH DEPOSIT	1805MR659		40.00		197.73
09/17	FC04	DRAW-FAC 4	-4-2-1854			180.00	17.73
09/25	D300	CASH DEPOSIT	2053MR684		25.00		42.73
10/11	D300	CASH DEPOSIT	2483MR707		25.00		67.73
10/15	FR01	CANTEEN RETUR	702534			3.93-	71.66
10/15	FC04	DRAW-FAC 4	4-2-2546			50.00	21.66
10/26	D300	CASH DEPOSIT	2813MRL744		100.00		121.66
11/09	FR01	CANTEEN RETUR	703121			50.00-	171.66
11/13	FC04	DRAW-FAC 4	4-2-3170			85.00	86.66
12/11	FC04	DRAW-FAC 4	4-2-3778			86.66	0.00
12/11	ACTIVITY	FOR 2008					
01/03	D300	CASH DEPOSIT	4295MR898		50.00		50.00
01/15	FC04	DRAW-FAC 4	-4-2-4600			48.86	1.14
01/23	W512	LEGAL POSTAGE	4767LEGP05			1.14	0.00
02/19	FR01	CANTEEN RETUR	705390			48.86-	48.86
02/19	FC04	DRAW-FAC 4	4-2-5403			43.66	5.20
02/22	W512	LEGAL POSTAGE	5523LEGP05			4.60	0.60
02/26	D340	EFT DEPOSIT	5573JUPAY		30.00		30.60
02/26	W512	LEGAL POSTAGE	5620LEGP05			0.60	30.00

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
88.63	340.00	398.63	30.00	0.00	0.00
					CURRENT AVAILABLE BALANCE
					30.00

80-82-0  
ENCLOSURE  
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REPORT ID: TS3030 .701

REPORT DATE: 02/28/08

CALIFORNIA DEPARTMENT OF CORRECTIONS  
CALIF CORRECTIONAL INSTITUTION  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: SEP. 01, 2007 THRU FEB. 28, 2008

TOTAL NUMBER OF STATEMENTS PRINTED:	1
TOTAL CURRENT BALANCE FOR ALL THE STATEMENTS:	30.00

CLERK OF COURT,

3/16/08

GREETINGS. I HAVE ENCLOSED THE IN FORMA PAUPERIS FORM YOU SENT ALONG WITH A CERTIFIED TRUST ACCOUNT STATEMENT THE TRUST OFFICE SENT WHEN THEY TOLD ME TO GET PERMISSION FROM MY COUNSELOR. I EXPLAINED THIS IN A LETTER ADDRESSED TO YOU ON ~~3/13/08~~ 3/13/08. I CAN AFFORD THE \$5.00 FILING FEE BUT I'M HAVING DIFFICULTIES WITH THE TRUST OFFICE STAFF MEMBERS WITH THIS FILING FEE AND AN UNRELATED ONE AS WELL.

I HAVE FILLED OUT THE IN FORMA PAUPERIS FORM, IN THE MEANTIME PERHAPS YOU CAN ARRANGE FOR THE \$5.00 TO BE WITHDRAWN AT A LATER DATE?

RESPECTFULLY,

Edward C. Mottley



EDWARD MOTLEY #H50441  
CALIFORNIA CORRECTIONAL INSTITUTION  
P.O. BOX - 1902 (4A-2C-110)  
TEHACAPI, CA 93581

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